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If you have any comment, suggestion, or news item you would like to submit, send them via E-Mail to 3241437@mcimail.com or B.PASTERNAK@genie.geis.com. You can contact Newsline at +1 805-296-7180. It is a combination answering and FAX machine, if you have a FAX to send, wait for the voice prompt and press your fax-send button.

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NEWSLINE RADIO - CBBS EDITION #127 - POSTED 06/05/94

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The following is late news about Amateur Radio for Radio Amateurs as prepared from NEWSLINE RADIO scripts by the staff of the AMATEUR RADIO NEWSLINE, INC. -- formerly the WESTLINK RADIO NETWORK. For current information updates, please call

Audio Version of Newsline
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The Midwest Connection BBS..... (701) 239-2440
 In bulletin number 6 of the ham radio conference
Delphi.....
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Internet.....
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For further information about the AMATEUR RADIO NEWSLINE, please write to us with an SASE at P.O. Box 463, Pasadena, CA 91102.

Thank You
NEWSLINE

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Some of the hams of NEWSLINE RADIO...

WA6ITF WB6MQV WB6FDF K6DUE W6RCL N6AHU N6AWE N6TCQ K6PGX N6PNY
KU8R N8DTN W9JUV KC9RP K9XI KB5KCH KC5UD KC0HF G8AUU WD0AKO DJ0QN
and many others in the United States and around the globe!!!

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SUPREME COURT SAYS NO TO LISTENER COMPLAINTS

The Supreme Court has let stand a ruling that bars members of the public who are upset over what they feel are legally indecent broadcasts from asking federal courts to revive complaints that the FCC has dismissed. This by refusing, without comment, to review a ruling that says listeners generally don't have the proper legal standing to pursue such complaints beyond the Federal Communications Commission. The decision not to act could make it very difficult to take potty-mouth hams off the air.

The case involves a complaint filed before the FCC by Peter Branton of Chattanooga, Tennessee. Branton filed his complaint after listening to a National Public Radio news program on radio station WSMC-FM the evening of Feb. 28, 1989. He claimed that the program contained a report on reputed New York mobster John Gotti, and that it included a tape-recorded telephone conversation between Gotti and an associate that was used as trial evidence.

Branton says that he was offended by the language. He filed a complaint with the FCC's Mass Media Bureau, requesting commission sanctions against NPR. But the commission refused his demand. It ruled that the report was part of a bona fide news story being reported nationwide. So the Chattanooga resident then sought help from the U.S. Circuit Court of Appeals for the District of Columbia but that three-judge panel of that court dismissed Branton's appeal last June. In fact, that court went so far as to say that Branton actually lacked the legal standing to file it.

Branton then went to the United States Supreme Court. Ironically, his appeal was supported in a friend-of-the-court brief submitted by two advocacy groups, People for the American Way and the Washington Area Citizens Coalition Interested in Viewers' Constitutional Rights. The brief was an unusual one, because the advocacy groups said they oppose Branton "on the merits of his indecency complaint."

But lawyers for NPR and other broadcast organizations that intervened in the case urged the justices to reject Branton's appeal. This is exactly what they did in turning away the Branton appeal.

What does this mean for ham radio? The FCC does not always act on complaints about the operations of potty mouth hams. In the past, if the problem was truly bad enough the Amateur Radio community would seek alternatives including taking the matter to other government agencies or approaching congressional leaders for intervention to the FCC. That road may no longer be open since the Supreme Court feels that the average person is not legally astute in determining what is and is not legally indecent.

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AMSAT COMMENTS TO NTIA

In comments filed with the National Telecommunications and Information Administration in response to the agency's Preliminary Spectrum Reallocation Report, AMSAT-North America has asked for wider amateur and amateur-satellite service bands at 13 cm. The NTIA's Preliminary Report, published in February, proposed to cut U.S. amateur 13 cm allocations in half, from the present 2300-2310 and 2390-2450 MHz to 2400-2402 and 2417-2450 MHz.

AMSAT has instead proposed a primary allocation of 2400-2410 MHz to be shared by the amateur and amateur-satellite services, in addition to the 2417-2450 MHz proposed by NTIA. In support of this request, AMSAT cited the likelihood of greatly increased demand for amateur satellite operations in the 13 cm band in coming years, far more than can be accommodated within 2400-2402 MHz. It also noted the unsuitability of 2417-2450 MHz for amateur satellite downlinks because of interference from such devices as microwave ovens and the need to coordinate amateur-satellite allocations internationally so that they are available on a global basis.

AMSAT has also proposed that a narrow band of 1-2 MHz, somewhere between 2300 and 2400 MHz. This to be allocated to the amateur service to accommodate the experimental weak-signal tropo and EME work now carried out around 2304 MHz. Under NTIA's proposal, this would be displaced.

The NTIA's Preliminary Spectrum Reallocation Report was prepared pursuant to Title VI of the Omnibus Budget Reconciliation Act of 1993. The same act also requires that comments from interested parties such as AMSAT be reviewed by FCC and NTIA before any final decision is taken.

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FCC DENIES MORE RULES CHANGE REQUESTS

The FCC has denied two petitions for reconsideration that sought a broader definition of permissible communications by amateurs. The petitions by David Popkin, W2CC, and Rolland D. Cummings, WA0EDA, sought expansion of FCC rules changes that went into effect in September 1993, in Personal Radio Docket 92-136. The two petitions sought permission for amateurs to retransmit certain US government broadcasts, such as time signals. Popkin's petition also sought a wording change to the new rules, from 'classroom instruction' to 'instructional activity.'

These new rules which were the result of an ambitious rewrite of Section 97.113. These changes gave amateurs greater flexibility in providing noncommercial communications for public events and permitted paid teachers to use Amateur Radio in their

classrooms. They also allow such personal communications such as making appointments and ordering pizza over an autopatch.

In denying the requests the FCC said that the ideas expressed in the petitions already had been aired and considered during the public comment period for PR Docket 92-136.

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THE REASON WHY

The FCC is with more and more regularity turning down what it seems to view as pointless and mundane technicalities in rules changes. It says that a goodly number are filed for no purpose other than trying to solve a dispute that has arisen between one or two hams. This the Commission says is something that the FCC is not about to do. At the recent Dayton Hamvention the FCC's John B. Johnston, W3BE explained why minor rules changes are becoming harder:

"One approach that we try very hard to use is to avoid what we call 'How to' rules. These are rules that specify just how you are to do something. And you ask for a lot of 'How to' rules. But they seem to always make for problems sooner or later. When you have a 'How to' rule your probably trying to solve a problem with an existing system. Sooner or later that system is going to become passe. But rules seem to have a habit of taking on a life of their own and get in the way of new systems." John B. Johnston, W3BE.

As far as mundane and non essential changes are concerned, the FCC is not going to get involved. They say its a waste your time and theirs. And that more than explains why the Popkin and Cummings rule change requests were unceremoniously turned away.

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NEWSLINE FINANCIAL CRISIS UPDATE

The latest on the financial crisis facing Newsline we reported last week. The good news is that you are hearing us this week. All we can say is that we hope we are able to be on next week as well. Call back in 7 days and we will all know more by then.

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AMATEUR RADIO TO ASSIST OAKLAND CA DURING EMERGENCIES

The City of Oakland California and the Oakland Fire Department have entered into a partnership with the Oakland Amateur Radio Emergency Services Organization. The Oakland City Council has voted a resolution which directs the City Manager to enter into a

letter of understanding with the Oakland Amateur Radio Emergency Service and designate them as a Radio Amateur Emergency Civil Emergency Service during any locally declared disaster.

Members of Oakland ARES will respond to the City's Emergency operation Center following any disaster or emergency which may threaten life and property in Oakland. They will then disburse to assist with the communication needs of emergency operations throughout the city.

The Oakland City Council says that Amateur Radio Operators have always been recognized by Oakland as being an effective means of providing critical back up communication links during emergencies. They note that Amateur Radio Operators have been on the scene of virtually every recent major disaster whether in the United States or abroad, in some cases they provided the only communication with the outside world.

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Long Island NY Tower Case Update

Mark Nadell, NK2T says that he has received a favorable decision by the New York State Supreme Court in his antenna battle with the Town of Hempstead Long Island, but the victory will probably be short lived. This is because Hempstead has filed a motion to re-argue the case. The motion was filed on the May 10th and that forced NK2T to file a cross motion to re-argue his side.

Nadell believes that Hempstead will probably get a clarification of the original finding. This was a court decision that annulled the towns order for him to take down his tower and antenna.

If a clarification is granted then Hempstead will almost assuredly file a formal appeal. As such, the case could go on for years, possibly ending up in the United States Supreme Court if both sides decide to wage the legal battle to its ultimate end.

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20,000 REPEATERS

On a brighter note, can you believe that there are now over twenty thousand FM coordinated repeaters, packet bulletin boards and propagation beacons on the air in the United States? Well those are the numbers contained in the new edition of the ARRL Repeater Directory that made its debut at the Dayton HamVention four weeks ago.

1994-95 edition of the ARRL directory has been reorganized for easier use on the run. The Leagues says that this makes it easier to find the listings of the coordinated and registered FM relay devices nationwide. The new directory does not contain an estimated 5000 to 10,000 more uncoordinated repeaters and unlisted

packet BBS that are also believed to exist.

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FOUR HAMS JOIN CQ HALL OF FAME

CQ magazine has inducted four amateurs into its halls of fame. Joining the CQ Contest Hall of Fame is John Thompson, W1BIH also known as PJ9JT; Atilano de Oms, PY5EG; and the late Herb Becker, W6QD.

Thompson, 79 and licensed since 1930, is well-known as both a DXer and contesteer. For more than 20 years he has operated from his winter home on Curacao in the Netherlands Antilles.

De Oms is credited with encouraging contest operations all over South America, is an active contesteer, and has one of the most potent stations on the continent. He also is at the top of both the Mixed and Phone DXCC Honor Rolls.

Herb Becker, W6QD, was one of the handful of DX and contest operators who conceived, in the late 1940s, the idea of the CQ Worldwide DX Contests. The basic rules he helped write more than 40 years ago have remained essentially unchanged.

Charlie Mellen, W1FH, is this year's loan entry into the CQ DX Hall of Fame. A DXCC member before World War 2, he started over in 1945, climbed to the top of the DXCC ladder, and stayed there through most of his career.

The ceremony inducting the four took place at the recent Hamvention in Dayton, Ohio.

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DX - SAINT PAUL ISLAND

In DX, word that Saint Paul Island with operators KW2P, WA4DAN, AA4VK, N0TG and possibly W0RJU plan to be active for the first week of July. This is the same group operated from KP1 and KP5 in 1992 and 1993. Landing permission and transportation for Saint Paul has already been received.

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SCOTTISH DISTRESS

Did you hear a strange signal on 14.001 MHz which sounded like a distress signal? GM3YEH did. He says that it appeared in Scotland on the 2nd of April around 14:00 UTC.

The Scottish Coast Guard Rescue service in Greenock were alerted. In short order they reported back that it is not a distress signal but faulty equipment being tested in Florida. They would not elaborate further or indicate who the transmitter belonged to. But they did indicate that it could take a while for engineers to get the signal off the air.

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PLUMBING

Our heartiest congratulations to Andy Watts, G4VIW, on being named as a "Member of the British Empire" in the 1994 New Years Honors List.

We have been told that being named as a Member of the British Empire is akin to knighthood. Andy, who is Chief Executive and Secretary of the Institute of Plumbing in Hornchurch Essex was in effect knighted for his -- and we quote-- his "Services to Plumbing."

And no this is not a joke. The honor is for real. The British do things in a slightly more formal way then we do here in their former colonies.

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And for this week, that's all from the Amateur Radio Newsline. You can write to us at Post Office Box 463 in Pasadena, CA 91102.

Next week tune in for coverage of the Westlink Report Young Ham of the Year Award presentation in Seaside Oregon.

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